

IN THE HIGH COURT OF KARNATAKA AT BANGALORE
DATED THIS THE 26TH DAY OF MAY, 1998.

BEFORE

THE HON'BLE MR. JUSTICE SRI H.L. DATTU

WRIT PETITION NUMBER; 2691/1993.

BETWEEN;

Sri Mahadevappa s/o
Erappa, 32 years,
O/of the Asst. Director
Karnataka Land Army Corporation
Ltd., Hunsur, Mysore District.

(BY SRI M. KUMAR - ADVOCATE) ..PETITIONER
AND;

1. Karnataka Land Army Corporation
Ltd., Chinnaswamy Stadium
North end, Bangalore-1,
represented by its Managing
Director.

2. The Administrative Officer,
Karnataka Land Army Corporation
Ltd., Chinnaswamy Stadium
North End, Bangalore-1.

..RESPONDENTS.

(BY SRI R.H. CHANDANGOUDAR - ADVOCATE)

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This writ petition is filed by the
petitioner with a prayer to set aside the letter
dated 9.11.1992 (Annexure-C) issued by 2nd
respondent etc.,

This petition coming on for Hearing this
day, the court made the following:

ORDER

Petitioner an employee working in
Karnataka Land Army Corporation is before this
court for the following reliefs. They are as
under:

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"(1) to quash the orders made by the
Administrative Officer dated
9.11.1992;

(2) to grant consequential benefits;

2. By an order dated 19.3.1992, the
Chairman and Managing Director of respondent
Corporation had passed an order converting the post
of Work Inspector on daily wage basis to that of
Work Inspector on consolidated pay with immediate
effect. Pursuant to such an order, petitioner had
reported for duty as Work Inspector on consolidated
pay. That was on 25.4.1992. Without any rhyme or
reason and without notice to the petitioner, the
Administrative Officer of the respondent
Corporation informs the Deputy Director of the Land
Army Corporation, Mysore, to continue to treat the
petitioner as Work Inspector on daily wage basis
and not on consolidated pay. Aggrieved by this
order of the 2nd respondent, petitioner has
approached this court.

3. It is not in dispute that the Chairman
and Managing Director had converted the post of
Work Inspector on daily wage basis to that of Work
Inspector on consolidated pay with immediate
effect. Pursuant to that, petitioner had reported
for duty and that duty report had been accepted by
the Officers of the respondent Corporation.

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Petitioner continued to work as Work Inspector on consolidated pay. Now, the 2nd respondent wants the Deputy Director to treat the petitioner only as Work Inspector on daily wage basis. In my view, this could not have been done by the 2nd respondent without notice and without informing the petitioner since the petitioner had acquired a right in the post of Work Inspector on consolidated pay by virtue of the orders made by Chairman and Managing Director dated 19.3.1992.

4. In that view of the matter, the orders made by the Administrative Officer dated 9.11.1992 is set aside. If for any reason, the 2nd respondent wants to take exception to the orders made by the Chairman and Managing Director in converting the post of Work Inspector on daily wage basis to that of Work Inspector on consolidated pay, he has to issue notice to the petitioner and after affording an opportunity of hearing to the petitioner, 2nd respondent can take exception to the orders made by the Chairman and Managing Director dated 19.3.1992. Till then, the 2nd respondent is restrained from taking any exception to the orders made by the 1st respondent dated 19.3.1992.

5. With these observations, this writ petition is disposed off. Ordered accordingly.

Sd/-
JUDGE

